

Appl. No. 09/088,490
Amdt. Dated August 3, 2004
Reply to Office action of May 6, 2004
Attorney Docket No. P13793-US1
EUS/JIP/04-2071

REMARKS/ARGUMENTS

1.) Claim Amendments

The Applicants have amended claims 1, 16 and 27 to more particularly point out and distinctly claim the subject matter that Applicants regard as the invention. Claims 1-28 remain pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Claim Rejections – 35 U.S.C. §102(e)

The Examiner rejected claims 1-9, 11-12, 15-21 and 25-28 as being anticipated by Jin (US 6,449,466). The Applicants traverse the rejections.

Claim 1 recites:

1. Base transceiver station for a radio communication system, the base transceiver station having a transmitter unit, a receiver unit independent of said transmitter unit, and a transmit path between the transmitter unit and an antenna and a receive path between the receiver unit and said antenna, wherein the receiver unit determines output data from received signals and the transmitter unit converts input data into transmitted signals and pre-distorts the transmitted signals using at least one compensation value, and wherein the base transceiver station further comprises:

a branching unit for transferring at least a portion of a transmitted signal from the transmit path to the receiver unit; and

a processing unit independent of said transmitter unit which is adapted to receive a representation of the input data to said transmitter unit and the output data from said receiver unit;

the processing unit being further adapted to compare the input data to the output data, to determine a first compensation value for the pre-distortion according to the comparison, and to update the compensation value of the transmitter unit with the first compensation value;

wherein said receive path is adapted to transfer the output of the branching unit to the receiver unit, and wherein the processing unit compares the input data to the output data and determines the first compensation value according to the comparison. (emphasis added)

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The Examiner asserts that Jin describes a transmitter unit and a receiver unit for performing the functions of the invention claimed by Applicants, referring to column 4, lines 23-41 of Jin. At column 4, lines 35-36, Jin does state that a base transceiver station may include "RF transmitters and RF receivers." The teachings of Jin, however, as illustrated in Figure 3, are specifically directed to the operation of a transmitter 300. In rejecting claim 1, the Examiner equates Jin's RF demodulator 335 and ADC 340 as reading on Applicants' receiver unit, and Jin's comparison and correction controller 355 as reading on Applicants' processing unit. Those elements, however, are all within the transmitter 300 described by Jin. In contrast, the embodiment of Applicants' invention recited in claim 1 is characterized by a receiver unit and a processing unit independent of a transmitter unit. Thus, Applicants' invention does not require receiver circuitry, such as Jin's demodulator 335 and ADC 340, within a transmitter unit. Whereas all base transceiver stations already include receiver units, Applicants' invention overcomes the inefficiency of also including such circuitry within each transmitter, as taught by Jin, in order to derive pre-distortion compensation values. Accordingly, Jin fails to anticipate claim 1.

Whereas independent claims 16 and 27 recites limitations analogous to those of claim 1, Jin also fails to anticipate those claims. Furthermore, whereas claims 2-9, 11-12 and 15 are dependent from claim 1; claims 17-21 and 25-26 are dependent from claim 16; and claim 28 is dependent from claim 27, and include the limitations of their respective base claims, those claims are also not anticipated by Jin. The Applicants, therefore, respectfully request that the Examiner withdraw the rejection of claims 1-9, 11, 12 and 15-28 as being anticipated by Jin.

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3.) Claim Rejections – 35 U.S.C. §103(a)

The Examiner rejected claim 10 as being unpatentable over Jin in view of Loostrom (US 6,304,747), and claims 13-14, and 22-24 as being unpatentable over Jin in view of Frank (US 6,636,555). The Applicants traverse the rejections.

As established *supra*, Jin fails to anticipate independent claims 1 and 16. Loostrom and Frank fail to cure the deficiencies of Jin and, therefore, claims 1 and 16 are patentable over Jin in view of Loostrom or Frank. Furthermore, where claims 10 and 13-14 are dependent from claim 1 and claims 22-24 are dependent from claim 16, and include the limitations of their respective base claims, those claims are also patentable over Jin in view of Loostrom or Frank. The Applicants, therefore, respectfully request that the Examiner withdraw the rejection of claims 10, 13-14 and 22-24.

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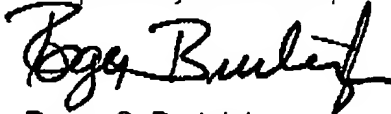
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CONCLUSION

In view of the foregoing amendments and remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 1-28.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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